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Practice Areas:
Antitrust
Commercial Litigation
Health Industry
Aerospace and Defense

Mark J. Botti is co-leader of Akin Gump's firmwide antitrust practice. He advises clients and represents them on the full spectrum of antitrust matters, including government investigations, mergers and acquisitions, joint ventures, government and private litigation, and competition policy matters. His work has spanned all sectors of the economy, including healthcare, pharmaceuticals and medical devices, national defense, intellectual property, paper industry products and insurance.

Mr. Botti is a nongovernmental advisor to the International Competition Network (ICN) merger committee. The ICN is a network of antitrust agencies from developed and developing countries that addresses antitrust enforcement and policy issues of common interest and formulates proposals for procedural and substantive convergence. Mr. Botti has also been recognized as one of *Nightingale's* Outstanding Healthcare Antitrust Lawyers (2008).

Before joining Akin Gump in 2007, Mr. Botti served for 13 years at the Department of Justice in various litigation and leadership positions within the Antitrust Division, including as chief of the Litigation I Section. As chief of Litigation I, Mr. Botti litigated and supervised complex antitrust matters, mergers and acquisitions, monopolization cases and joint ventures. He consulted regularly with international antitrust enforcement authorities on particular matters and the development of their merger and other antitrust regulations and practices. He worked in many industrial sectors, including health care, pharmaceutical, insurance, agriculture and forestry products, mass consumer products, national defense, industrial manufacturing and mass media. He was the career Division official who directly oversaw the extensive hearings held by the Division and the Federal Trade Commission on health care during the years 2004-2005, as well as the drafting of the agencies' joint seminal report, *Improving Health Care: A Dose of Competition*.



Bar Admissions

District of Columbia

Clerkships

U.S.C.A., 6th Circuit

U.S.D.C., Northern District of Ohio

Education

J.D. Case Western University
School of Law, cum laude, 1985

A.B. Dartmouth College, 1982

AKIN GUMP
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Mr. Botti received his A.B. in 1982 from Dartmouth College and his J.D. cum laude in 1985 from the Case Western Reserve University School of Law. He clerked for the Honorable John M. Manos of the U.S. District Court for the Northern District of Ohio from 1985 to 1987 and for the Honorable David A. Nelson of the U.S. Court of Appeals for the 6th Circuit from 1987 to 1988. He is a member of the District of Columbia Bar.

Active in the American Bar Association, Mr. Botti is a vice chair of the Joint Conduct Committee, a member of its special task force on Health Care Reform and Pharmaceutical Reverse Payments, and is a co-editor of the health care portions of the Association's *Antitrust Law Developments VI* (2007). He has made numerous public presentations on antitrust litigation, mergers and joint ventures, and health care, and written on a number of topics including:

- "Countdown to Meltdown: Speeding Up U.S. Antitrust Review of M&A Transactions in a Distressed Economic Environment," *Financial Markets In Recovery*, Ch. 29 (CRI Research Institute 2009) (with David T. Blonder)
- "Divergence at Home: Comments on the Differences between the Federal Antitrust Enforcement Agencies on How to Judge the Legality of Reverse Payments" (speech and PowerPoint presentation) ACI In-House Counsel Forum on Pharmaceutical Antitrust, New York, NY, May 15, 2007